

Attorney Docket No. 12418.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Mark Rindsberg

Serial No.: 09/747,567

Art Unit: 2134

AUG 23 2005

Confirmation No.: 4309

Filed: December 22, 2000

Examiner: Jacob Lipman

For: APPARATUS FOR AND METHOD OF SECURELY DOWNLOADING AND
INSTALLING A PROGRAM PATCH IN A PROCESSING DEVICE

TRANSMITTAL

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

1. We are transmitting herewith the attached papers for the above-identified patent application:
 - a) Issue Fee Transmittal
 - b) Comments on Statement of Reasons for Allowance
2. With respect to fees:
 - a) The Commissioner is authorized to charge \$ 1,406.00 to Deposit Account No. 50-2057. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2057.
3. **CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8:** The undersigned hereby certifies that this Transmittal Letter and all attached papers as described above in paragraph 1 are being facsimile transmitted to the United States Patent and Trademark Office to facsimile telephone 571.273.2885 on August 23, 2005.

Customer Number: 25937

Respectfully submitted,

ZARETSKY & ASSOCIATES PC

By: 

Howard Zaretsky

Reg. No. 38,669

Attorney for Applicants

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AUG 25 2005

Zaretsky & Associates PC
8753 West Runion Dr
Peoria AZ 85382-6412
Tel.: 623-362-2585

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

25937 7590 06/16/2005

ZARETSKY & ASSOCIATES PC

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

HOWARD ZARETSKY	(Depositor's name)
<i>Howard Zaretsky</i>	(Signature)
23 AUG 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,567	12/22/2000	Murk Rindberg	XMMD-002	4309

TITLE OF INVENTION: APPARATUS FOR AND METHOD OF SECURELY DOWNLOADING AND INSTALLING A PROGRAM PATCH IN A PROCESSING DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	09/16/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
LIPMAN, JACOB	2134	380-270000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563)

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. ZARETSKY & ASSOCIATES
2. HOWARD ZARETSKY
3.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

XM SATELLITE RADIO INC.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

WASHINGTON, DC

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 2

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 52-1027 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Howard Zaretsky

Date

23 AUG 2005

Typed or printed name

HOWARD ZARETSKY

Registration No.

28,667

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Howard ZaretskyAugust 23, 2005
Date

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant expresses his appreciation for the allowance of the present application. Applicant notes the Examiner's reasons for allowance but further comments that the art of record, alone and in combination, fails to show, teach or suggest the entirety of each combination of steps and/or structure recited by each of the allowed claims of the present invention.

Customer Number: 25937

Respectfully submitted,

ZARETSKY & ASSOCIATES PC

By: 

Howard Zaretsky
Reg. No. 38,669
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